

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	:	
	:	Criminal No. 21-CR-245 (AJT)
v.	:	
	:	
IGOR Y. DANCHENKO,	:	
	:	
Defendant.	:	
	:	

**THE GOVERNMENT'S SECOND MOTION TO
ADJOURN THE CLASSIFIED DISCOVERY AND CIPA SCHEDULE**

The United States of America, by and through its attorney, Special Counsel John H. Durham, respectfully moves this Honorable Court, pursuant to the Classified Information Procedures Act (“CIPA”), 18 U.S.C. App. III §§ 1-16, to adjourn the deadline for production of classified discovery, which is currently set for May 13, 2022. The Government also respectfully requests that the Court order a modestly reset CIPA filing schedule in accordance with the proposed schedule set forth below. The proposed new dates would not result in an adjournment of the October 11, 2022 trial date or any other associated deadlines. The Government has consulted counsel for the defendant and they object to the adjournment and extension of filing deadlines.

To date, the Government has produced to the defense over 5,000 documents in classified discovery and nearly 61,000 documents in unclassified discovery. The Government believes that the 5,000 classified documents produced to date represent the bulk of the classified discovery in this matter. The Government also notes that a significant portion of the unclassified documents produced in discovery thus far were originally marked “classified” and the Government has worked with the appropriate declassification authorities to produce the

documents in an unclassified format. However, recent world events continue to contribute to delays in the processing and production of classified discovery. In particular, some of the officials preparing and reviewing the documents at the FBI and intelligence agencies continue to be heavily engaged in matters related to overseas activities. Nevertheless, the Government is continuing to press the relevant authorities to produce documents in classified discovery as quickly as possible and on a rolling basis, and no later than the proposed deadline set forth below. The government notes that the proposed schedule below would push the previous CIPA 5(a) deadlines by one-week (July 19, 2022 to July 26, 2022).

For the Court's consideration, the government proposes the following new pretrial deadlines:

Government's Section 4 filing:	June 7, 2022
Deadline to produce classified discovery:	June 13, 2022
<i>Ex parte</i> Section 4 hearing:	June 15, 2022
Defendant's Section 5(a) written notice:	June 29, 2022

Government's response to defendant's Section 5(a): July 18, 2022

Defendant's reply: July 26, 2022

Respectfully submitted,

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